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3 **BEFORE THE CRIMINAL JUSTICE TRAINING COMMISSION IN**
4 **AND FOR THE STATE OF WASHINGTON**

5 In Re Certification of:

NO. 19-754

6 Jeran DeLapp

ORDER OF DEFAULT AND
FINAL ORDER REVOKING
PEACE OFFICER CERTIFICATION

7
8 Respondent.

9 This matter came before Sheriff Gary Simpson, the Presiding Member of the Hearings
10 Panel of the Washington State Criminal Justice Training Commission, for telephonic
11 prehearing conference on December 2, 2020. The Presiding Member, having considered the
12 Petitioner's oral motion for the entry of a default order and the records and files described
13 herein, hereby enters the following FINDINGS OF FACT, CONCLUSIONS OF LAW, and
14 ORDER:

15 **FINDINGS OF FACT**

16 1. On October 14, 2020, the Washington State Criminal Justice Training
17 Commission ("CJTC") instituted this administrative action by filing a statement of charges
18 seeking to revoke the peace officer certification of respondent Jeran DeLapp.

19 2. The Statement of Charges was served upon Mr. DeLapp, who requested a
20 hearing.

21 3. Mr. DeLapp was served with the Notice of Telephonic Prehearing Conference,
22 dated November 24, 2020, which indicated that the First Prehearing Conference would take
23 place on December 2, 2020, at 3:00 p.m., as well as the manner in which the parties were
24 expected to attend. The notice further stated "Failure of the Respondent or his Representative to
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1 attend or participate in the telephonic hearing will result in a finding of default and an order
2 will be entered accordingly.”

3 4. On December 20, 2020, at 1:22 a.m., Mr. DeLapp sent an email sent to Kayla
4 Wold, the Hearing Coordinator, indicating that he desired to withdraw his previously submitted
5 Request for Hearing and that he would no longer participate in the hearing process.

6 5. On December 2, 2020, Ms. Wold opened the teleconference prior to 3:00 p.m.,
7 as described in the Notice of Telephonic Prehearing Conference. Sheriff Simpson, the
8 Presiding Member; Susie Giles-Klein, Assistant Attorney General representing the Petitioner;
9 Justin Kato, Assistant Attorney General and Advisor to the Hearings Panel; and Ms. Wold,
10 were present at 3:00 PM. The Respondent, Jeran DeLapp, did not attend.

11 6. At about 3:05 PM, the Presiding Member convened the telephonic prehearing
12 conference, and shortly thereafter the Petitioner moved for an order of default pursuant to RCW
13 34.05.440(2).

14 CONCLUSIONS OF LAW

15 1. The Hearing Panel and the Presiding Member have authority and jurisdiction
16 over the subject matter and the parties. RCW 43.101.085; RCW 43.101.105; RCW 43.101.380.

17 2. The Presiding Member has authority to enter an order of default and/or
18 dispositive order based upon Respondent’s withdrawal of their Request for Hearing. RCW
19 43.101.155(1); RCW 34.05.440(1).

20 3. Mr. DeLapp knowingly withdrew his request for hearing.

21 4. The Presiding Member has authority to enter an order of default and/or
22 dispositive order based upon the failure of the Respondent or his counsel to appear at a
23 scheduled prehearing conference. WAC 139-06-050(3); RCW 34.05.440(2).

24 5. Mr. DeLapp knowingly failed to attend or participate in the proceedings.

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The Respondent, Jeran DeLapp has waived his opportunity to contest the allegations contained in the Statement of Charges and is in default for failure to attend and to participate. Mr. DeLapp's peace officer Certification is hereby REVOKED.

B. Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that: (a) there is a material clerical error in the Order, or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering directly to the Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, Washington, 98148, with a copy to all other parties of record and their representatives. Filing means actual receipt at the Commission's office. RCW 34.05.010(6).

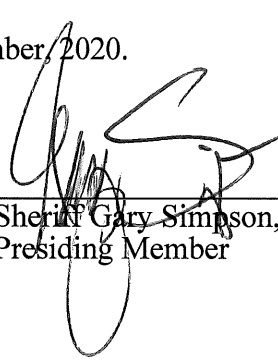
ORDER OF DEFAULT AND FINAL ORDER
REVOKING PEACE OFFICER
CERTIFICATION
No. 19-754

1 C. Stay of Effectiveness. The filing of a petition for reconsideration does not
2 stay the effectiveness of this Order. Any such requests should be made in connection with a
3 Petition for Judicial Review made under chapter 34.05 RCW and RCW 34.05.550.

4 D. Judicial Review. Proceedings for judicial review may be instituted by filing
5 a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V,
6 Judicial Review and Civil Enforcement (RCW 34.05.510 through .598). The petition for judicial
7 review of this Order shall be filed with the appropriate court and served on the Commission, the
8 Office of the Attorney General, and all parties within thirty (30) days after service of this Order,
9 as provided in RCW 34.05.542.

10 E. Service. For purposes of filing a Request to Vacate, a Petition for
11 Reconsideration, or a Petition for Judicial Review, service is effective upon deposit of this order
12 in the U.S. mail, declaration of service attached hereto.

13 DATED this 7th day of December, 2020.

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18 Sheriff Gary Simpson, Kitsap County Sheriff's Office
19 Presiding Member
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